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Yan Fu

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

ELLIOTT IV, BENJAMIN H

ART UNIT

PAPER NUMBER

2474

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. In response to the Office action mailed 9/28/2009, Claims 1, 3, and 6-20 have been reviewed and are pending.

Response to Arguments

2. Applicant's arguments filed 12/28/2009 have been fully considered but they are not persuasive. In the Office action mailed 9/28/2009, Claims 1, 3, 6-8, 10-13, and 15-20 were rejected under 35 U.S.C. § 102 (b) as being anticipated by United States Patent 5,959,989 to Gleeson et al. (hereinafter "Gleeson"). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gleeson in view of United States Patent Application Publication 2003/0147392 A1 to Hayashi et al. (hereinafter "Hayashi"). Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gleeson in view of United States Patent 6,683,887 B1 to Huang et al. (hereinafter "Huang").

Applicant argues, with regards to claim 1, Gleeson "fails to teach determining whether to permit the entity to subscribe the multicast message and, thus, cannot teach or suggest those features recited in claim 1" (Remarks, page 15). Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., determining whether to permit the entity to subscribe the multicast message) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Claim 1 does not recite

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a limitation in which a user may be permitted to subscribe to a multicast message. However, Gleeson does disclose, in the background of the disclosure, that routers employ a security mechanism to prevent entities from accessing a particular multicast message (Gleeson: Col. 3, lines 52-55). Gleeson discloses the router creates a subscription list that associates group multicast addresses with VLAN designations, wherein an entity utilizes the group destination address to send multicast messages (Gleeson: Col. 3, line 65 through Col. 4, line 3). Gleeson incorporates group multicast addresses with VLAN designations. Gleeson relates to a mechanism that comprises a multicast network device (MND) that generates a multicast VLAN identifier (MVLAN) for each unique combination of VLAN (Gleeson: Col. 5, lines 55-59). Gleeson discloses that users who wish to subscribe to multicast messages by registering with the MNDs (Gleeson: Col. 8, lines 60-62). Examiner suggests narrowing the claim by providing descriptions to the multicast authority relationships.

Applicant argues the Examiner's comparison of MVLAN IDs to Applicant's "multicast authority" is not appropriate (Remarks, page 15). The broadly interpreted term of "multicast authority" reads on any designation between the "authority" and multicast group addresses. The use of MVLAN IDs meets the requirements as the "multicast authorities", as the MVLAN IDs are related to address information of multicast users (Gleeson: See Figure 2B, table 240, wherein the MAC address correlates to a VLAN designation and Figure 3, table 312 wherein the VLAN designation corresponds to a multicast VLAN identifier.), and multicast group addresses (Gleeson: Col. 11, lines

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17-19). Examiner suggests narrowing the claim by providing descriptions to the multicast authority relationships.

Applicant argues “Gleeson fails to teach that table 308 and 312 are used to determine whether to permit an entity to register in a requested multicast group in response to a request by the entity.” (Remarks, page 16). Examiner respectfully disagrees. Tables 308 and 312 simply point to MVLAN Ids and VLAN designations (table 312), and Group destination addresses with correlating subscribing VLAN designations and subscribing entities (without VLAN designations; table 308). Step 340 of Applicant’s disclosure reads “if yes, permitting...to join in...; otherwise, prohibiting...from joining in...” appears to correlate to if yes, permitting the multicast user to join in the multicast group, otherwise, prohibiting the multicast user from joining in the multicast group.” In conjunction with Examiner’s broad interpretation of “multicast authority”, Examiner cites Gleeson, Col. 5, lines 55-59 and Col. 13, lines 6-18 to teach this limitation. A multicast network device assigns a multicast VLAN identifier for each unique combination of VLANs that are matched to multicast group addresses. Examiner correlates the MVLAN-ID to the multicast authority, as each MVLAN-ID encompasses entities subscribing to a message stream. See Col. 5, lines 59-61. See also Col. 10, lines 48-53. In Col. 13, lines 6-18, Gleeson discloses any port with the proper VLAN designation receives the message. Any port without proper designations is prohibited from receiving the message. As is known to one having ordinary skill in the art, a port is associated with a user, thus a user is prohibited from receiving the multicast message.

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Applicant argues Gleeson merely discloses only some ports are permitted to forward a message carrying a VLAN designation after the entity subscribes to the message and fails to discloses permitting the multicast user to join in the multicast group according to the determination results of steps 310, 320, and 330. As argued by the Applicant, the step of permitting a user to join a multicast group or prohibiting a user from joining a multicast group according to the determination steps 310, 320, and 330 differs from the structure recited in claim 1. The broad limitation of permitting a user to join a multicast group may be interpreted to read permission may be granted if only one of the determination steps is performed. Examiner suggests narrowing the claim limitation to read permission is granted to join the multicast group according to the results of all determination steps.

Examiner maintains the rejection for Claim 11, as it contains substantially the same distinguishing features of Claim 1.

Examiner maintains the 35 U.S.C. § 103 (a) rejection for claims 9 and 14 as being dependent upon claims 1 and 13, respectfully.

/Aung S. Moe/

Supervisory Patent Examiner, Art Unit 2474